

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

JOHN CHEN,	:
	:
Petitioner	:
	:
v.	:
	CIVIL NO. 4:CV-14-98
DONNA ZICKEFOOSE, ET AL.,	:
	(Judge Brann)
Respondents	:
	:

**ORDER**

January 28, 2014

In accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. Petitioner is **GRANTED** leave to proceed in forma pauperis for the sole purpose of the filing of this action.
2. The petition for writ of habeas corpus is **DISMISSED WITHOUT PREJUDICE.**
3. Petitioner may reassert his present claims in a properly filed civil rights action.
4. The Clerk of Court is directed to **CLOSE** the case.

5. Based on the Court's conclusion, there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

s/Matthew W. Brann

Matthew W. Brann  
United States District Judge